

**House File 2427 - Introduced**

HOUSE FILE 2427  
BY COMMITTEE ON HUMAN  
RESOURCES

(SUCCESSOR TO HSB 517)

**A BILL FOR**

1 An Act relating to access to certain child abuse and dependent  
2 adult abuse information by free clinics, and including  
3 effective date provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1     Section 1. NEW SECTION. 135.24A Free clinics — volunteer  
2 record check.

3     1. For purposes of this section, "*free clinic*" means a free  
4 clinic as defined in section 135.24 that is also a network  
5 of free clinics in this state that offers operational and  
6 collaborative opportunities to free clinics.

7     2. Persons who are potential volunteers or volunteers in  
8 a free clinic in a position having direct individual contact  
9 with patients of the free clinic shall be subject to criminal  
10 history and child and dependent adult abuse record checks in  
11 accordance with this section. The free clinic shall request  
12 that the department of public safety perform the criminal  
13 history check and the department of human services perform  
14 child and dependent adult abuse record checks of the person in  
15 this state and may request these checks in other states.

16     3. A free clinic subject to this section shall establish  
17 an evaluation process to determine whether a crime of founded  
18 child or dependent adult abuse warrants prohibition of the  
19 person's participation as a volunteer in the free clinic.  
20 The evaluation process shall not be less stringent than  
21 the evaluation process performed by the department of human  
22 services and shall be approved by the department of human  
23 services.

24     Sec. 2. Section 235A.15, subsection 2, paragraph e, Code  
25 2018, is amended by adding the following new subparagraph:

26     NEW SUBPARAGRAPH. (25) To a free clinic as defined in  
27 section 135.24A for purposes of record checks of potential  
28 volunteers and existing volunteers at the free clinic.

29     Sec. 3. Section 235B.6, subsection 2, paragraph e, Code  
30 2018, is amended by adding the following new subparagraph:

31     NEW SUBPARAGRAPH. (19) To a free clinic as defined in  
32 section 135.24A for purposes of record checks of potential  
33 volunteers and existing volunteers at the free clinic.

34     Sec. 4. Section 235B.7, subsection 2, Code 2018, is amended  
35 to read as follows:

1     2. a. Requests for dependent adult abuse information may  
2 be made orally by telephone if a person making the request  
3 believes that the information is needed immediately and if  
4 information sufficient to demonstrate authorized access is  
5 provided. If a request is made orally by telephone, a written  
6 request form shall be filed within seventy-two hours of the  
7 oral request.

8 b. The department of inspections and appeals may provide  
9 access to the single contact repository established under  
10 section 135C.33, subsection 7, for criminal and abuse history  
11 checks made by those employers, agencies, and other persons  
12 that are authorized access to dependent adult abuse information  
13 under section 235B.6 and are required by law to perform such  
14 checks.

15      Sec. 5.   EFFECTIVE DATE.   This Act, being deemed of immediate  
16 importance, takes effect upon enactment.

### EXPLANATION

18           The inclusion of this explanation does not constitute agreement with  
19           the explanation's substance by the members of the general assembly.

20 This bill relates to access to certain child abuse and  
21 dependent adult abuse information by free clinics.

22 The bill provides that persons who are potential volunteers  
23 or volunteers in a free clinic in a position with direct  
24 individual contact with patients of the free clinic shall be  
25 subject to certain record checks. The bill requires a free  
26 clinic to request that the department of public safety perform  
27 criminal history checks and the department of human services  
28 perform child and dependent adult abuse record checks and may  
29 request such record checks in other states on such volunteers.  
30 The bill requires the free clinic to establish an evaluation  
31 process to determine whether a crime of founded child or  
32 dependent adult abuse warrants prohibition of the person's  
33 participation as a volunteer in the free clinic. The bill  
34 provides the evaluation process shall not be less stringent  
35 than the evaluation process performed by the department of

1 human services and shall be approved by the department of human  
2 services. The bill defines a free clinic as a free clinic  
3 defined in Code section 135.24 that is also a network of free  
4 clinics in this state that offers operational and collaborative  
5 opportunities to free clinics.

6 Code section 235A.15, relating to access to child abuse  
7 information in the central child abuse registry, is amended  
8 to authorize free clinics to have access to report data and  
9 disposition data for cases of founded child abuse for purposes  
10 of potential and existing volunteer record checks. The bill  
11 amends Code section 235B.6, relating to access to dependent  
12 adult abuse information in the central dependent adult abuse  
13 registry, to authorize free clinics to have access to dependent  
14 adult abuse information, other than unfounded information, for  
15 the same purpose.

16 The bill provides the department of inspections and appeals  
17 may provide access to the single contact repository for  
18 criminal and abuse history checks made by employers, agencies,  
19 and other persons that are authorized access to dependent adult  
20 abuse information and are required by law to perform such  
21 checks.

22 The bill takes effect upon enactment.